

Office of Superintendent of Schools
Board Meeting of February 9, 2000

January 26, 2000

Office of School Board Attorney
Johnny Brown, Board Attorney

**SUBJECT: THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA v. E.A.,
SCHOOL BOARD CASE NO. 053AD (98/99)-UDELL**

On July 14, 1999, the School Board expelled the Respondent, student E.A., from the adult school programs of the Miami-Dade County Public Schools for the maximum period permitted by the Code of Conduct for Adult Students. Respondent timely requested an administrative hearing to contest his expulsion and said hearing was held on October 6, 1999, before Hearing Officer Michael B. Udell.

By recommended order entered December 17, 1999, the Hearing Officer found that the School Board had shown by a preponderance of the evidence that student E.A., while enrolled in the school district's adult school programs, committed an aggravated battery on another student, causing great bodily harm. Accordingly, the Hearing Officer recommended that The School Board of Miami-Dade County, Florida, enter a final order sustaining Respondent's expulsion from the adult school programs of the Miami-Dade County Public Schools for the maximum period allowed and that E.A. not be allowed re-admission into the adult school programs until the period of the expulsion has elapsed.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, adopt the Recommended Order of the Hearing Officer in Case No. 053AD (98/99)-UDELL, sustaining E.A.'s expulsion from the adult school programs of the Miami-Dade County Public Schools for the maximum period allowed, and barring E.A. from enrolling in, or visiting any adult school programs within the school district during the term of his expulsion.

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